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December 6, 2018

VIA CM/ECF

The Honorable Hildy Bowbeer
Magistrate Judge, District of Minnesota
United States District Court
300 South Fourth Street
8E U.S. Courthouse
Minneapolis, MN 55415

Re: *Allianz Life Insurance Company of North America v. Kathy D. Ryan in her capacity as Trustee, and Lake Forest & Trust Company, N.A., et al.*
Civil Case No.: 0:18-cv-02209 (WMW/HB)

Dear Judge Bowbeer,

This letter is being submitted as requested by the Court during the November 26, 2018 Rule 16 Pretrial Conference [Doc. No. 34] to update the Court regarding (1) the status of the parties' positions on whether discovery should proceed before the hearing scheduled for January 29, 2019, (2) Allianz's request to interplead the funds or the annuity contract with the court. Defendant and Third Party Plaintiff Lake Forest & Trust Company, N.A. d/b/a Wintrust Life Finance ("Lake Forest") has met and conferred with counsel for Allianz Life Insurance Company of North America ("Allianz") and counsel for Kathy D. Ryan, as Trustee and as an individual, on both issues.

Lake Forest agrees that it will not use a party's participation in written discovery under court order as a basis to oppose Defendant Kathy D. Ryan's challenges to jurisdiction and venue. Lake Forest is willing to file a stipulation with the court setting forth that agreement.

Lake Forest has also met and conferred with counsel for Allianz regarding Plaintiff's request for a stipulation to interplead the funds or the annuity contract with the court and be dismissed from the litigation. At this time, Lake Forest is not willing to stipulate to interplead either the funds or the annuity contract with the court or agree to dismiss Allianz from the litigation.

DykEMA

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Sincerely,

DYKEMA GOSSETT PLLC

/s Kristina Kaluza

Kristina Kaluza